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TRANSMITTAL FORM

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Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Frank C. Turner

Signature

Typed or printed name

Application Number 10/006,876

Filing Date December 5, 2001

First Named Inventor Stevens, James F.

Art Unit 1764

Examiner Name Ridley, Basia A.

Attorney Docket Number 00041-DV4

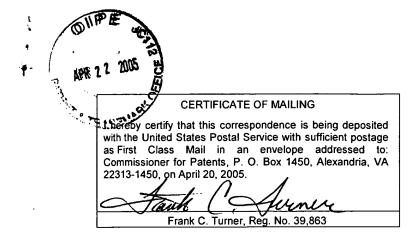
Total Number of Pages in This Submissi	on 4	Attorney Docket Nu	ımber	00041-DV4
ENCLOSURES (check all that apply)				
Fee Transmittal Form	☐ Drawing(s)			After Allowance Communication to TC
Fee Attached	Licensing-related Papers			Appeal Communication to Board of Appeals and Interferences
Amendment-/ Reply (Election)	Petition			Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
After Final	Petition to Convert to a Provisional Application			Proprietary Information
Affidavits/declaration(s)	Power of Attorney, Revocation Change of Correspondence Address			Status Letter
Extension of Time Request	☐ Terminal Disclaimer			Other Enclosure(s) (please identify below):
Express Abandonment Request	Request for Refund		Return Postcard	
	CD, Number of CD(s)			
☐ Information Disclosure Statement	☐ Landscape Table on CD			
☐ Certified Copy of Priority Document(s) ☐ Reply to Missing Parts/	Remarks Should any fees be required, the Director is Deposit Account No. 03-1620.			authorized to deduct said fees from
Incomplete Application				
Reply to Missing Parts under 37 CFR1.52 or 1.53				
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT				
Firm	ChevronTexaco Corporation			
Signature	Frank Charner			
Printed Name	Frank C. Turner			
Date	April 20, 2005		Reg. No.	39,863
CERTIFICATE OF TRANSMISSION/MAILING				

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date

April 20, 2005

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Stevens, et al.

Serial No.: 10/006,876

Filed:

December 5, 2001

For: METHOD FOR REDUCING THE

CARBON MONOXIDE CONTENT OF A HYDROGEN RICH GAS

Confirmation No. 5220

Group Art Unit: 1764

Examiner: Ridley, Basia Anna

Attorney Docket No.: 00041-DV4

ELECTION

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This Election is responsive to the restriction requirement mailed March 24, 2005, for which a shortened statutory period for response of thirty (30) days was set, making this election due by April 24, 2005. This Election is believed to be timely filed and that no fees are due. In the event the Office determines that fees are due in association with the filing of this Election, the Office is hereby authorized to deduct said fees from Deposit Account No. 03-1620.

The restriction mailed March 24, 2005 (the "Office Action"), alleged that the captioned application contains the following inventions, referred to herein as Inventions I-II.

- I. Claims 1-8, drawn to a method classified in class 48, subclass 198.7; and
- II. Claims 9-21, drawn to an apparatus classified in class 422, subclass 211.

Election With Traverse

Applicants hereby elect claims 9-21, identified by the Office as Invention II, for examination in the captioned application. Applicants' election is made with traverse for the reasons that follow.

Inventions I and II

It is alleged by the Office that Inventions I and II are related as process and apparatus for its practice, but are distinct because the apparatus as claimed can be used to practice another and materially different process. Specifically, the Office Action states that.

"the apparatus as claimed can be used to practice another and materially different process, such as for production of synthesis gas."

Applicants maintain, however, that the apparatus and methods of the present invention are so closely related that the claimed methods will include those methods that may be practiced by the claimed apparatus. A brief review of the elements of the claimed apparatus, as exemplified by claim 9, and the claimed method, as exemplified by claim 1, is illustrative. Specifically, the apparatus of claim 9 comprises (1) a catalyst bed containing an oxidation catalyst, (2) a porous tube positioned substantially within the catalyst bed for distributing an oxygen-containing stream throughout the catalyst bed, and (3) a cooling jacket for maintaining the reactor operating temperature in a desired range. Similarly, the method of claim 1 comprises (1) providing a reactor having a catalyst bed containing an oxidation

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catalyst, (2) distributing an oxygen-containing stream throughout the catalyst bed and (3) maintaining the reactor operating temperature in a desired range. To the extent that the apparatus as claimed could be used to produce synthesis gas, such a process would not constitute a materially different process from the methods recited in claim 1.

Inventions I and II are not distinct for the reasons cited by the Office.

Reconsideration of the restriction requirement with regard to Inventions I and II is respectfully requested.

* * * * *

Applicants respectfully request reconsideration of the restriction requirement with respect to the Inventions I and II based on the traversal contained herein. This is believed to be a full and complete response to the outstanding Restriction mailed March 24, 2005. The present application is believed to be in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of the captioned application is respectfully requested.

Respectfully submitted,

Frank C. Turner

Attorney for Applicants

Reg. No. 39,863

April 20, 2005 Chevron Services Company 1500 Louisiana, Ste 36078B Houston, Texas 77002 (832) 854 6387 (voice) (832) 854 6495 (fax)